

**WAGANAKISING ODAWAK STATUTE 2013-  
EXECUTIVE OVERSIGHT REPORT and  
DIRECTIVES and MANDATES for REQUESTED INFORMATION**

**SECTION I. PURPOSE**

This Statute is hereby enacted to delineate, in accordance with Tribal Constitution, Article VIII, C.6., the monthly written reports of the Chair's oversight responsibility of Tribal operations to the Tribal Council and Article VII C.1.a. Monitor all Tribal mandates and directives approved by the Tribal Council for compliance of requested information through the Executive Branch.

**SECTION II. DEFINITIONS**

**A.** "Formally requested by Tribal Council" means requests approved by a majority vote of Tribal Council.

**B.** "Monthly" means the first date to the last date of the month.

**C.** 'Oversight' means the general review of institutional performance with particular attention to failures to carry out mandates, to preserve discipline and to inefficiency and poor productivity.

**D.** "Tribal Council" The Tribal Council of the Little Traverse Bay Bands of Odawa Indians.

**E.** "Tribal Operations" means the Executive departments, boards, commissions and committees created by the Tribal Council.

**F.** "Tribe" means the Little Traverse Bay Bands of Odawa Indians.

1     **SECTION III.           OVERSIGHT REPORT**

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3     **A.**     The Tribal Chair shall submit to Tribal Council a monthly written Oversight report that  
4           contains the following:

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6           **1.**     A summary of each Executive departments, boards, commissions and committees  
7           activities for the month, along with their monthly revenues and expenditures.

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9           **2.**     The activities of the Tribal Chair and Vice Chair.

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11          **3.**     A report of complaints received and how and when the complaints were resolved.

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13          **4.**     A list of vacancies in appointed positions.

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15          **5.**     Documents, reports or information that was formally requested by Tribal Council.

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17          **6.**     Recommendations to Tribal Council on matters of interest or benefit to the Tribe.

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19          **7.**     Nominations for consideration for appointed positions.

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21          **8.**     Summary of Ambassadorial activities.

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23          **9.**     Any negotiations with any other governments, businesses or individuals for  
24           approval by majority vote of Tribal Council.

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26          **10.**    Policies, resolutions and regulations for Tribal Council approval.

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28          **11.**    Summary or updates on Tribal Council mandates and directives.

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30          **12.**    Reports of legal activities by Attorneys employed by the Tribe under the  
31           Executive's oversight.

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33          **13.**    Reports provided by lobbyist or consultants employed by the Tribe under the  
34           Executive's oversight.

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2 **B.** Such report shall be received by the legislative office within fifteen (15) days after the  
3 end of the month.  
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6 **SECTION IV. MANDATES AND DIRECTIVES FOR REQUESTED**  
7 **INFORMATION**  
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9 **A.** In accordance with the Tribal Constitution, Section VII, C. 1.a. The Legislative Leader  
10 shall monitor all Tribal mandates and directives approved by Tribal Council for compliance  
11 through the Executive Branch.  
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13 **B.** Tribal Council can mandate and direct the Executive and its subordinates to supply  
14 information, documents, prepare reports, or appear before Tribal Council for hearings in order to  
15 gather information.  
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17 **C.** Mandates and directives shall be approved by majority of Tribal Council and contain a  
18 deadline for compliance and shall be delivered to the Executive Office.  
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20 **D.** Such mandates and directives that require immediate action by the Executive shall only  
21 be issued for detrimental impact on the Tribe.  
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23 **E.** The Legislative Leader shall track all Tribal Council approved mandates and directive  
24 and review the Executive Oversight report to ensure compliance with the mandates and  
25 directives.  
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27 **F.** The Legislative Leader shall report on any mandates and/or directives that are not in  
28 compliance.  
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31 **SECTION V. REMEDIES**  
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33 **A.** If any mandates and/or directive are found to be not in compliance or failure to submit a  
34 monthly Oversight Report, in order to remedy the situation, Tribal Council can request  
35 attendance of Executive and its subordinates to come before Tribal Council, request solutions

1 from Executive, or call for a joint meeting between the Executive and Tribal Council for the  
2 purpose of discussing noncompliance with the mandates and directive or may petition Tribal  
3 Judiciary for Writ of Mandamus.

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5 **B.** Tribal Council through the authority of the Tribal Constitution, clearly and expressly  
6 waives sovereign immunity of the Executive and its subordinates for the limited purpose of  
7 determining and enforcing Writs of Mandamus, including contempt of court.

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10 **SECTION VII. SAVINGS CLAUSE**

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12 In the event that any phrase, provision, part, paragraph, subsection or section of this  
13 statute is found by a court of competent jurisdiction to violate the Constitution, laws or  
14 ordinances of the Little Traverse Bay Bands of Odawa Indians, such phrase, provision, part,  
15 paragraph, subsection or section shall be considered to stand alone and to be deleted from this  
16 statute, the entirety of the balance of the statute to remain in full and binding force and effect.

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19 **SECTION VIII. EFFECTIVE DATE**

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21 Effective upon signature of the Executive or shall be deemed enacted if not expressly  
22 vetoed by the Executive within thirty (30) days of submission. The Tribal Council may, by an  
23 affirmative vote of seven (7) members of the Tribal Council, override a veto by the Executive.

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26 **CERTIFICATION**  
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